

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Oregon

United States of America

v.

Rowan Thomson-Sapstead

Defendant(s)

Case No. 6:14-*mj-4TC*

Redacted

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 2013 to January 1, 2014 in the county of Linn in the
District of Oregon, the defendant(s) violated:

Code Section

Title 18, United States Code,
Section 2422(b)

Offense Description

Knowingly using and attempting to use a facility of interstate or foreign commerce, namely the Internet and a cellular telephone, to knowingly persuade, induce, entice, or coerce a person who has not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense.

This criminal complaint is based on these facts:

See attached affidavit of FBI Special Agent Damara Schiltz

☒ Continued on the attached sheet.

Damara Schiltz
Complainant's signature

Damara Schiltz, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 1/9/2014

City and state: Eugene, Oregon

1/10/14
nunc pro tunc
1/9/14
Thomas M. Coffin
Judge's signature

Thomas M. Coffin, U.S. Magistrate Judge

Printed name and title

STATE OF OREGON)
) ss. Affidavit in Support of Criminal Complaint
County of Lane) And Arrest Warrant

I, Damara Schiltz, being duly sworn, do hereby declare and state the following:

Introduction and Agent Background

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been employed in this capacity since July 2011. I am currently assigned to the Portland Division at the Eugene, Oregon Resident Agency. My responsibilities include the investigation of federal criminal offenses. Prior to my job as a Special Agent with the FBI, I worked in the capacity of a staff operations specialist for the FBI analyzing criminal and counter terrorism matters.

Purpose of Affidavit

2. This affidavit is made in support of a criminal complaint and arrest warrant charging Rowan Thomson-Sapstead with knowingly using and attempting to use a facility of interstate or foreign commerce, namely the Internet, to persuade, induce, entice, or coerce a minor under the age of 18 to engage in criminal sexual activity, in violation of 18 U.S.C. § 2422(b). The information in this affidavit is based on my personal investigation, my discussions with other law enforcement officers involved in the investigation, my review of pertinent documents, records, and reports, and my knowledge, training, and experience. Because this affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not set forth each and

every fact known to me concerning this investigation. Rather, I have included only those facts which I believe are necessary to establish probable cause to believe that Rowan Thomson-Sapstead enticed a minor and then traveled from Canada to Oregon to engage in sexual activity with the 17 year old victim. Where the statements and actions of others are set forth in this affidavit, they are set forth in substance and in part.

Applicable Law

3. 18 U.S.C. § 2422(b), provides as follows:

Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and imprisoned not less than 10 years or for life.

4. Under Oregon state law, it is a Class A misdemeanor (Contributing to the Sexual Delinquency of a Minor) for an adult to engage in sexual intercourse or deviate sexual intercourse with a person under the age of 18. ORS 163.435. It is also a Class A misdemeanor (Sexual Abuse in the Third Degree) for an adult to subject a minor under the age of 18 to sexual contact. ORS 163.415.

Probable Cause

5. On January 3, 2014, Officer Wingo with the Sweet Home Police Department located in Linn County, Oregon dispatched to the Sweet Home Inn, 805 Long Street, Sweet Home, Linn County Oregon, in response to T.M. reporting that her 17 year old step-daughter, S.M., was at the location with a 31 year old male, Rowan Thompson-Sapstead, and was refusing to return home with T.M. While at the location,

Officer Wingo asked both S.M. and Sapstead if they had engaged in sexual conduct and both individuals reported that they did not. Sapstead reported that he only cuddled with S.M. S.M. told Officer Wingo that she had known Sapstead for approximately one month and had been staying at the Sweet Home Inn with Sapstead for approximately one week. S.M. eventually left the scene with T.M., who is S.M.'s stepmother, and returned to her residence.

6. At approximately 1432 hours, Officer Wingo was dispatched to the [REDACTED] residence because S.M. had run away after getting into an argument with T.M.. Shortly thereafter, S.M. was located at the Sweet Home Inn by Officer Hamlin. Officer Wingo then transported S.M. back to her residence. During the car ride, S.M. told Officer Wingo that she had in fact engaged in sexual contact with Sapstead. S.M. agreed to talk to Detective Pichardo of Sweet Home Police Department at that time.

7. During an interview with Detective Pichardo, S.M. stated that she initially began chatting with Sapstead on an internet chat site known as Kik. They first began communication around the end of November 2013. S.M. said that after a few days on Kik they exchanged phone numbers and email addresses. S.M. used her phone and email to text, talk and communicate with Sapstead. S.M. stated that the communications eventually became sexual in nature. S.M. stated that she and Sapstead began "sexting" nude photographs of one and other, including photos of her bare breasts and one of her genitals. Sapstead had also sent nude photographs of himself, including a picture of his penis. They eventually made plans to meet in Oregon. Messages from S.M.'s facebook page reveal numerous messages about Sapstead traveling to Oregon and them "being

together.” S.M. indicated that Sapstead was aware of her age and had told her it did not matter because it was “just a number”

8. S.M. stated that she picked up Sapstead at the Eugene, Oregon airport on December 21, 2013. S.M. took Sapstead to the Sweet Home Inn. S.M. told Detective Pichardo that she had sexual intercourse with Sapstead the first night he arrived in Eugene. S.M. stated it was mutual and consensual, although she was unsure who initiated the contact.

9. Flight records show that Sapstead flew from Kelowna, BC on December 21, 2013 and landed at the Eugene, Oregon airport.

10. S.M. told Detective Pichardo that while Sapstead was in Sweet Home he offered to take her to Las Vegas Nevada for New Year’s Eve. S.M. stated that she had sex with Sapstead at the hotel in Las Vegas and walked around looking at sights. S.M. also told Detective Pichardo that she consumed alcohol given to her by Sapstead. S.M. stated that they then flew home on January 1, 2014 at about 1500 hours.

11. S.M. told Detective Pichardo that while Sapstead was in Oregon she stayed with him almost every night either at the Phoenix Inn in Albany Oregon or at the Sweet Home Inn in Sweet Home, Oregon. S.M. admitted to having sexual intercourse with Sapstead approximately seven times. S.M. also told Detective Pichardo that she and Sapstead performed oral sex on one another and that it happened every time they had sex.

12. Detective Pichardo filed a probable cause affidavit and Sapstead was located at the Phoenix Inn in Albany Oregon and arrested on state felony and misdemeanor charges.

13. Detective Pichardo interviewed Sapstead after reading him his Miranda Rights. Sapstead admitted that he had engaged in online chatting and had texted with S.M. prior to flying to Oregon and that the relationship got serious fast. He also admitted to having sexual intercourse with S.M. and to knowing that she was only 17 years of age.

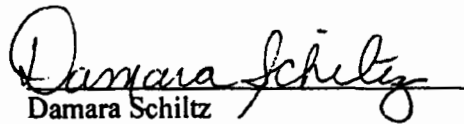
14. Sapstead was lodged in the Linn County Jail on January 3, 2014 and posted bail on January 4, 2014 at 2:46 am. Detective Pichardo called the Phoenix Inn in Albany on January 5, 2014 and learned that Sapstead had checked out of the hotel at 2:55 am and was picked up by a vehicle. At this point, Detective Pichardo believed he might have fled.

15. Detective Pichardo spoke with Canadian Customs and Borders Protection Officer Lisa Cheswick who confirmed that Sapstead had a flight scheduled from Eugene to Kelowna on January 4, 2014 which he missed. Sapstead then scheduled the same flight for January 5, 2014 which was cancelled due to weather. On January 6, 2014, Sapstead booked a flight from Portland, Oregon Airport and flew to Los Angeles International Airport. He stayed with a friend in Los Angeles and then flew from Los Angeles Airport to the Kelowna Airport on January 8, 2014.

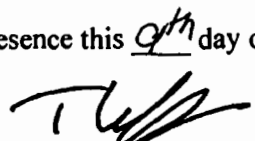
16. On January 8, 2014, upon arrival at Kelowna Airport, Sapstead was detained at the airport because he had pending charges in the state of Oregon. Sapstead has a visitor's visa for residence in Canada and is an Australian Citizen. When he arrived, he was held in Canada for deportation back to Los Angeles. Canadian authorities told Detective Pichardo that Sapstead would be put back on a flight from Canada into Los Angeles, on January 9, 2014.

17. Based on the foregoing information, I have probable cause to believe that Rowan Thompson-Sapstead has violated Title 18, United State Code, Section 2422(b), by using and attempting to use a means of interstate and foreign commerce to knowingly persuade, induce, coerce, or entice a 17-year-old female to engage in unlawful sexual activity with him. I therefore request that the court issue a criminal complaint charging Rowan Thompson-Sapstead with that offense.

18. This affidavit and the requested criminal complaint and arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Amy E. Potter prior to being presented to the Court. AUSA Potter informed me that in her opinion, the affidavit sets forth sufficient facts to establish probable cause for a criminal complaint and arrest warrant.


Damara Schiltz
Special Agent, FBI

Sworn to and subscribed in my presence this 9th day of January 2014, at Eugene, Oregon.

 1/10/14
Thomas M. Coffin nunc pro tunc
The Honorable Thomas Coffin 1/9/14
United States Magistrate Judge